

## **MINUTES**

### **MONTANA SENATE 58th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON TAXATION**

**Call to Order:** By **CHAIRMAN BOB DEPRATU**, on February 19, 2003 at 9 A.M., in Room 405 Capitol.

#### **ROLL CALL**

**Members Present:**

Sen. Bob DePratu, Chairman (R)  
Sen. Bob Story Jr., Vice Chairman (R)  
Sen. Jerry W. Black (R)  
Sen. John C. Bohlinger (R)  
Sen. Jon Ellingson (D)  
Sen. Jim Elliott (D)  
Sen. Bill Glaser (R)  
Sen. Dan Harrington (D)  
Sen. Walter McNutt (R)  
Sen. Mike Taylor (R)  
Sen. Ken Toole (D)

**Members Excused:** None.

**Members Absent:** None.

**Staff Present:** Lee Heiman, Legislative Branch  
Shirley Herrin, Committee Secretary

**Video-taped Committee:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. A video-taped recording of the meeting is available from the Montana Historical Society.

**Committee Business Summary:**

Hearing & Date Posted: SB 376, 2/12/2003; SB 378,  
2/12/2003  
Executive Action: SB 379

**HEARING ON SB 376**

**Opening Statement by Sponsor:**

9:02           **SEN. JIM ELLIOTT, SD 36, Trout Creek** "General tax  
                  amnesty"

**Proponents' Testimony:**

9:05           Gene Fenderson, MT Progressive Labor Council

**Opponents' Testimony:**   None

**Informational Witnesses:**

9:08           Neil Peterson, Department of Revenue

**Questions from Committee Members and Responses:**

9:09           Begin  
9:18           Ended  
9 min          Time elapsed

**Closing by Sponsor:**

9:18           **SEN. ELLIOTT** closed on SB 376.

**HEARING ON SB 378**

**Opening Statement by Sponsor:**

9:19           **SEN. SAM KITZENBERG, SD 48, Glasgow** "Create certified  
                  capital company program". **EXHIBIT(tas37a01)**  
                  **EXHIBIT(tas37a02) EXHIBIT(tas37a03)**

**Proponents' Testimony:**

9:32           Ryan Brennan, Advantage Capital Partners, St. Louis

**Opponents' Testimony:**   None

**Informational Witnesses:**

9:39 \_\_\_\_\_ Andy Poole, Department of Commerce

**Questions from Committee Members and Responses:**

09:42          Begin  
10:23          Ended  
41 min         Time elapsed

**Closing by Sponsor:**

10:32          **SEN. KITZENBERG** closed on SB 378.

**EXECUTIVE ACTION ON SB 167**

**Motion:**

10:35       **SEN. MIKE TAYLOR** moved that **SB 167 DO PASS** for the purpose of discussion. **Motion:** **SEN. TAYLOR** moved that **SB 167 B AMENDED** SB016701.alh **EXHIBIT(tas37a04)**. Lee Heiman reviewed the amendments.

**Discussion:**

10:36       Begin  
10:37       Ended  
1 min       Time elapsed

10:37       **Vote:** Motion on the amendments **carried 6-5** with **BOHLINGER, ELLINGSON, ELLIOTT** and **TOOLE** voting no and **HARRINGTON** voting no by proxy.

10:38       **Motion:** **SEN. BOB STORY** moved that **SB 167 BE TABLED**.

**Discussion:**

10:39       Begin  
             **CHAIRMAN BOB DE PRATU** stated he would like to recess Executive Action and request a new fiscal note.  
10:41       **SEN. STORY** withdrew his motion to **TABLE SB 167**.

**EXECUTIVE ACTION ON SB 379**

**Motion:** **SEN. STORY** moved that **SB 379 BE INDEFINITELY POSTPONED**.

**Discussion:**

10:44

**Vote:** Motion **carried** with **HARRINGTON** voting yes by proxy and **ELLIOTT** voting no.

**EXECUTIVE ACTION ON SB 301**

**Motion:**

10:49       **SEN. KEN TOOLE** moved that **SB 301 DO PASS**. **Motion:** **SEN. TOOLE** moved that **SB 301 BE AMENDED** SB030101.alh **EXHIBIT(tas37a05)** and SB030102.alh **EXHIBIT(tas37a06)** **Vote:** Motion **carried unanimously** with **HARRINGTON** voting by proxy.

**Discussion:**

10:50       Begin  
10:53       Ended  
3 min       Time elapsed  
The committee will hold further action to request a fiscal note.

**ADJOURNMENT**

Adjournment: 10:53 A.M.

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SEN. BOB DEPRATU, Chairman

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SHIRLEY HERRIN, Secretary

BD/SH

**EXHIBIT (tas37aad)**